

REMARKS

Claims 1-4, 9-12 and 14-20 were rejected under 35 U.S.C. 102(b) as being anticipated by Gold (U.S. Patent No. 5,187,814).

Gold has been studied. Gold does not disclose a gel pad. The word "gel" is not used in Gold. A heater pad is not a gel pad and it does not appear from Gold that the reference is using the terms heater pack to mean a gel pad. Gold does not teach a compression stocking. In fact, the words "compress", "compression" and "stocking" are not even used in the Gold disclosure. Compression stockings are known in the art as set forth in applicant's specification referring to US Patent No. 5,823,195. The sock depicted in Figs. 6 and 7 is not a compression stocking. As such, claims 1, 9 and 16 are not anticipated and claims dependent therefrom are not anticipated. Anticipation requires that there be an identity of invention. Anticipation requires that all elements and limitations of the claim are found within a single prior art reference. There must be no difference between the claimed invention and the reference disclosure. *Carella v. Starlight Archery and ProLine Co.*, 804 F.2d 135, 138, 231 USPQ 644, 646 (Fed. Cir. 1986). *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 1549, 220 USPQ 193, 198 (Fed. Cir. 1983). *Kalman v. Kimberly-Clark Corp.*, 218 USPQ 781 (Fed. Cir. 1983). Reconsideration of claims 1-4, 9-12 and 14-20 is requested.

Claims 5, 6 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gold (U.S. Patent No. 5,187,814).

As demonstrated above, Gold does not anticipate claims 1 and 9. Hook and pile

connects 441, 442 are not folded or stitched portions. Nor are they compression devices. Rather, they are believed to be Velcro type locks. Claims 5, 6 and 13 are not obvious in view of Gold. Reconsideration of claims 5, 6 and 13 is requested.

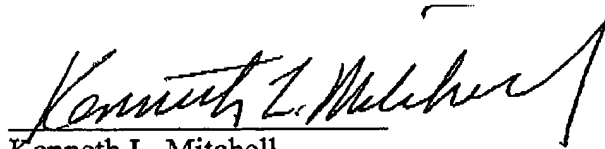
Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gold (U.S. Patent No. 5,187,814) and further in view of Lyles (U.S. Patent No. 6, 001,122).

As demonstrated above, Gold does not anticipate claim 1. Lyles appears to be a wrap around device with a hot or cold pack wrapped around a stocking. The word "stocking" is not used in Lyles. The device is not a stocking and it does not extend 360 degrees around the foot of a user. The term "360" does not appear in Lyles. Rather, each closed edge is in the form of a pleat 23. Claims 7 and 8 are not obvious in view of Gold and Lyles. Reconsideration of claim 7 and 8 is requested.

The undersigned invites a call from the Examiner to expedite the processing and allowance of this patent application.

Respectfully submitted,

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